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Attorneys for Steve R. Brown

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION

KENNETH JAY FLYNN,

Plaintiff,

v.

CALVIN T. CHRISTIAN,  
CHRISTIAN SAMSON & BASKETT  
PLLC, HOLLY M. MOHERCICH,  
Individually and as TRUSTEE FOR  
THE MARK MOHERCICH  
IRREVOCABLE TRUST, MARK  
MOHERCICH, STEVE R. BROWN,  
DAVID A. HOFER, DARRELL  
PETERSON, PETERSON PETERSON  
BURNE & SHORES PC, MARK  
PYRAK, FT BENTON REALTY, K.  
DALE SCHWANKEE, JERRY  
WALTARI, JOHN WURZ

Defendants.

Cause No. 4:23-cv-00007-BMM

**DEFENDANT STEVE R.  
BROWN'S MOTION TO DISMISS**

Defendant Steve R. Brown (“Brown”) respectfully moves to dismiss this action as Plaintiff has failed to state a claim against Brown for which relief can be granted and this Court lacks subject matter jurisdiction over his claims. The arguments in support of this motion are set forth in the accompanying brief filed simultaneously herewith.

Respectfully submitted this 17th day of March, 2023.

**HALL BOOTH SMITH, P.C.**

/s/ Elizabeth Hausbeck  
Elizabeth Hausbeck  
*Attorneys for Steve R. Brown*

## **CERTIFICATE OF SERVICE**

I hereby certify that I have this date served a copy of the within and foregoing **DEFENDANT STEVE R. BROWN'S MOTION TO DISMISS** upon Plaintiff by depositing a true copy of the same in the U.S. Mail, proper postage prepaid, and/or Electronic Mail, addressed as follows:

Kenneth J. Flynn  
615 1<sup>st</sup> Ave.  
Gildford, MT 59525  
*Plaintiff – Pro Se*

This 17th day of March, 2023.

**HALL BOOTH SMITH, P.C.**

/s/ Elizabeth Hausbeck  
Elizabeth Hausbeck  
*Attorneys for Steve R. Brown*